

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, SEPTEMBER 29, 2005
8:30 A.M.**

Commissioners Present: Larry Hudkins, Chair
Deb Schorr, Vice Chair
Bernie Heier
Ray Stevens
Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Patricia Owen, Chief Deputy County Clerk

The Chair opened the meeting at 8:30 a.m.

AGENDA ITEM

**1 APPROVAL OF THE STAFF MEETING MINUTES OF THURSDAY,
SEPTEMBER 22, 2005**

MOTION: Stevens moved and Workman seconded approval of the Staff Meeting minutes. Hudkins, Heier, Workman and Stevens voted aye. Schorr was absent from voting. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Certification to the Board of Public Roads Classifications and Standards
- B. Annual Certification Report to Participate in Federal Drug Forfeiture Program
- C. Microcomputer Budget Request for the County Engineering Department
- D. Community Mental Health Advisory Committee Meeting
- E. City of Omaha/City of Lincoln Joint Council Meeting

MOTION: Heier moved and Stevens seconded to approve the five additions to the agenda. Heier, Workman, Stevens and Hudkins voted aye. Schorr was absent from voting. Motion carried.

- A. Certification to the Board of Public Roads Classifications and Standards**

MOTION: Heier moved and Stevens seconded authorization for the Board Chair to sign and submit the Annual Certification to the Board of Public Roads Classifications and Standards. (Exhibit I) Workman, Stevens, Hudkins and Heier voted aye. Schorr was absent from voting. Motion carried.

B. Drug Forfeiture Money for Lancaster County Sheriff's Department

MOTION: Workman moved and Heier seconded to approve the certification for participation in the Federal Drug Forfeiture Program. Stevens, Workman, Heier and Hudkins voted aye. Schorr was absent from voting. Motion carried.

C. Microcomputer Budget Request for the County Engineering Department

MOTION: Stevens moved and Heier seconded approval of the microcomputer budget request for a PC for the County Engineers office. (Exhibit A) Stevens, Workman, Hudkins and Heier voted aye. Schorr was absent from voting. Motion carried.

Schorr entered at 8:37 a.m.

D. Community Mental Health Advisory Board Meeting

Stevens reported that the monthly meeting of the Community Mental Health Advisory Board was held and Roxanna Copp from Community Alternatives of Nebraska has resigned. A name will be forwarded to the Board. Director Dean Settle also discussed the reorganization of medical services and the retirement of Dr. Barr.

E. City of Omaha/City of Lincoln Joint Council Meeting

Stevens reported that he attended a portion of the joint meeting. He indicated that the I-80 corridor issue was discussed as well as indicating that the MSA designation had not been received, but this was viewed as a temporary setback. Stevens stated that impact fees, development fees and SID's were also topics of discussion. Mutual legislative issues of interest were also discussed by the group, including the gas tax and the storm water utility issues. Funding mechanisms for the storm water utility program were touched on.

3 INSURANCE RENEWALS- Sue Eckley, Worker's Compensation & Risk Manager; Tom Champoux, UNICO

Tom Champoux distributed to the Board the Coverage/Cost Comparison Worksheet (Exhibit B) indicating that the figures were based on a worst case scenario. Champoux discussed rates and percentages of increases for various insurance coverages. He indicated that the largest percentage of proposed increase was for Commercial General Liability coverage, but indicated that he was hopeful that a reduction in the County's premium would be negotiated out before the end of the day. Champoux indicated that the approximately 4% increase in the Building(s) and Content(s) coverage was an increase that he was comfortable with. Eckley and Champoux discussed the reduction in premiums for the County's Worker's Compensation Excess coverage, indicating the renewal premium is a reduction of \$36,469 from the previous years coverage.

Champoux indicated that the overall cost increase in coverage would be 2.4%, before any further reduction in premiums that might occur by the end of the day.

Champoux distributed to the Board an additional Coverage/Cost Comparison Worksheet for Worker's Compensation Excess coverage detailing optional quotes for deposit premiums and specific retention. The Board, by verbal consensus, indicated that it would prefer to stay with the current premium of \$53,817 and specific retention of \$600,000 through Safety National.

Eckley and Champoux discussed the Board's Crime Insurance Protection coverage and indicated the premium for this coverage was increasing approximately \$1000 per year. Champoux indicated that the coverage went beyond theft to include other types of loss due to criminal acts. Eckley stated that she visited with Deputy County Attorney Doug Cyr to verify that no statutory requirement was in place to require the County to carry this coverage. Cyr indicated that the coverage was not required, but indicated that operational safeguards should be adequate if the coverage was not in place.

In response to a question, Champoux indicated that the County would be covered for one-million dollars of coverage with the Crime Insurance Protection policy. Stevens commented that he was not comfortable removing this coverage at the present time. Schorr concurred with Stevens comments.

Champoux distributed a Coverage/Cost Comparison Worksheet for the Community Mental Health Center (Exhibit D) indicating an 8.2% rate increase for 2005, with the General Liability premium increasing, 20% of which is attributable to professional liability. An additional Market Review report (Exhibit E) was also distributed for the Board information. The last page of which is the Client Authorization to Bind Coverage which would require signature by the Board Chair.

The Board chose to not add Terrorism Coverage or Sexual Harassment Coverage at this time.

MOTION: Stevens moved and Workman seconded to accept the recommended insurance coverages and premiums proposal as presented, directing Eckley and Champoux to accept the lowest premium for Commercial General Liability offered. Schorr, Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

MOTION: Stevens moved and Schorr seconded to authorize the Board Chair to sign the Client Authorization to Bind Coverage form. Workman, Heier, Schorr, Hudkins and Stevens voted aye. Motion carried.

4 PENDING LITIGATION- Sue Eckley, Worker's Compensation & Risk Manager

MOTION: Schorr moved and Heier seconded to enter into executive session at 9:16 a.m. to discuss pending litigation. Workman, Heier, Hudkins, Stevens and Schorr voted aye. Motion carried.

MOTION: Stevens moved and Workman seconded to exit executive session at 9:37 a.m. Stevens, Schorr, Workman, Hudkins and Heier voted aye. Motion carried.

5 FLU SHOTS- Sue Eckley, Worker's Compensation & Risk Manager; Tim Timmons, Health Department

Tim Timmons, Lancaster/Lincoln Health Department appeared before the Board and indicated that 7,000 doses of the flu vaccine have been ordered for Lancaster County. Eckley indicated that the cost per dose is \$20.00 and requested the Board consider covering the cost of the immunization for employees through the Wellness Budget, with spouses paying the \$20.00 per dose cost.

MOTION: Schorr moved and Workman seconded to authorize payment of County employee flu immunization costs from the Wellness Budget, with immunizations for spouses to be paid by the spouse at the rate of \$20.00.

Stevens indicated he would prefer to see employees contribute toward the cost of the program by perhaps paying five to ten dollars toward the cost of the immunization. Discussion was held regarding this proposal.

MOTION: Stevens moved to amend the previous motion to require County employees to pay ten dollars toward the cost of flu immunizations. The motion died for lack of second.

ROLL CALL TO ORIGINAL MOTION: Schorr, Workman, Heier, Stevens and Hudkins voted aye. Motion carried.

6 EQUIPMENT PURCHASE FOR PEOPLES HEALTH CENTER- Kathy Smith, Assistant Purchasing Agent, Cecilia Creighton, Director Peoples Health Center

Smith distributed a Purchase Request Summary Sheet (Exhibit F) for the People's Health Center with a breakdown of medical equipment items to be purchased by Lancaster County. County Administrative Officer Kerry Eagan indicated this equipment was being purchased in conformance with the County's Purchasing Act and would be placed at the People's Health Center in exchange for medical services provided to General Assistance eligible patients. The contract for this purchase would come before the Board at a Tuesday Board meeting.

Discussion was held on the option of phasing in ownership of the equipment as services were rendered. Commissioner Hudkins indicated the funding source for this equipment would be the County's Keno Fund.

Stevens indicated his desire that the proposed equipment purchase not include flat panel computer monitors.

MOTION: Workman moved and Heier seconded to direct the County Attorney's office to draft a contract for the purchase of the medical equipment, and indicated that the People's Health Center may purchase additional equipment as needed, not currently specified on the Purchase Request Summary, up to the \$50,000 limit. Schorr, Hudkins, Heier, Stevens and Workman voted aye. Motion carried.

7 LOCATION OF EMERGENCY OPERATIONS CENTER- Doug Ahlberg, Emergency Management Director; Julie Righter, E-911 Communications Manager

Doug Ahlberg and Julie Righter appeared before the Board to discuss a proposed short-term relocation of the Emergency Operations Center. Ahlberg indicated that the basement of the '233 Building', located at 233 S. 10th Street, would be an ideal location. Ahlberg stated that currently the entire basement is available for use and would enable expansion of operations if necessary. Ahlberg commented that the '233 Building' has a backup generator and an antenna system already in place.

Righter and Ahlberg discussed the proposed relocation of E-911 and the Emergency Operations Center within the next five years, indicating it is their desire to co-locate at some point in time. Righter indicated that she would expand into the current EOC location should the EOC relocate to another building, and would remain there until a permanent facility is built. Ahlberg stated that at that time the two operations would be under the same roof and the '233 Building' would provide an established off-site location if it should be needed.

In response to a question regarding funding of this relocation, Ahlberg indicated he would pull together estimates of relocation costs and bring them back to the Board.

8 DEPARTMENT OF COMMUNITY CORRECTIONS POLICY REGARDING PARAMETERS OF ELIGIBILITY FOR THE PRETRIAL RELEASE PROGRAM- Kim Etherton, Community Corrections Director

Kim Etherton appeared and presented a draft policy for defendant referral that provides parameters of eligibility for the Pretrial Release Program. (Exhibit G)

Stevens stated that the addition of a requirement that Felony II offenders be mandated to wear an ankle monitoring bracelet should be incorporated into the policy as discussed. Etherton stated she will revise the policy accordingly and forward it for approval at a Tuesday Board meeting.

- 9 **UPDATE OF: (A) COUNTY RESOLUTION 02-30, REGULATING ON-SITE WASTEWATER TREATMENT SYSTEMS; AND (B) COUNTY RESOLUTION 02-31, DESIGN STANDARDS FOR OPERATION AND MAINTENANCE OF ON-SITE WASTEWATER TREATMENT SYSTEMS-** Scott Holmes, Environmental Public Health Division Manager

Scott Holmes appeared and reviewed proposed changes to the regulations governing On-Site Wastewater Treatment Systems and Design Standards for Operation and Maintenance of On-Site Wastewater Treatment Systems. Holmes indicated that the revisions were to bring the Health Department's regulations into conformance with the State of Nebraska's regulations.

- 10 **DISCUSSION REGARDING EQUIPMENT LOST IN WATER MAIN BREAK-** Terry Wagner, Lancaster County Sheriff; Bill Jarrett, Chief Deputy Sheriff

Lancaster County Sheriff Terry Wagner and Chief Deputy Bill Jarrett appeared to update the Board on equipment losses attributable to the water main break and subsequent flooding of the County-City Building. Jarrett indicated that approximately \$115,000 in losses were suffered, the majority of which were equipment related, while some were personnel & relocation costs.

Discussion was held on insurance coverage and proposed partial insurance payment of \$50,000 to replace needed equipment. Jarrett and Wagner indicated that the insurance monies would be sent to the County and indicated they would like to see those funds specifically earmarked, possibly through a new budgetary line item, for the Sheriff's budget to enable them to replace the equipment. Chief Administrative Officer Kerry Eagan stated that to be in compliance with the Budget Act, the funds would need to be deposited into the County's General Fund.

Stevens requested a list of equipment that was lost and equipment that would be replaced. The Board indicated their desire to have the Sheriff's office proceed with the equipment replacement.

- 11 **OPTIONS REGARDING JOINT PUBLIC AGENCY FOR THE RURAL TO URBAN ROADWAY TRANSITION STREETS PROGRAM (RUTS) AND EAST BELTWAY**

Schorr indicated that she requested this item be placed on the agenda so that she could request the Board set up a Tuesday work session on the JPA and funding strategies.

In response to a question from Heier, Chief Administrative Officer Kerry Eagan briefly discussed the current JPA proposal and its two stated specific purposes. Stevens indicated that the JPA structure allows for funding alternatives that are not available through an interlocal.

Workman proposed that the Board consider a reallocation of the Railroad Transportation Safety District (RTSD) funds. Proposing that one cent of the RTSD's 2.6 cent levy be shifted to fund the JPA, this enabling the County to remain within its fifteen-cent lid. The Board indicated that this would need to be discussed with City Engineer Roger Figard as well.

Schorr proposed consideration of rebating or allocating a portion of the wheel tax monies back to the incorporated villages, and City of Waverly if that funding option was used.

The Board set a work session date of Tuesday, October 4, 2005 from 10:00 a.m. to 12:00 noon in Room 113 on this issue.

12 ACTION ITEMS

a. Request from Mike Thurber Regarding Chaplaincy Program/Inmate Benefit Fund

MOTION: Stevens moved and Workman seconded to approve the use of the Inmate Benefit Fund to provide for the Corrections Chaplaincy Program. Stevens, Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

b. Explanation of the Term "Administrative Settlement" on a Right of Way Contract

Discussion of the term 'administrative settlement' was held, with Chief Deputy Administrative Officer Gwen Thorpe indicating that this was a discretionary financial tool used by the Right of Way Manager to facilitate settlement on ROW contract issues.

c. Software for New Computers for Adult Probation

Thorpe distributed a Microcomputer Estimate sheet (Exhibit H) to the Board with information on a request for software for the Adult Probation Department. Thorpe indicated that when the cost for new computers was discussed in the budget process, the need for accompanying software was forgotten.

MOTION: Schorr moved and Heier seconded to authorize Adult Probation to spend \$2066.00 for software for new computers purchased for the Adult Probation Department. Funds to be taken from the budget of Adult Probation. Workman, Schorr, Stevens, Heier and Hudkins voted aye. Motion carried.

d. Request and Disclosure Regarding Employment of Family Member For Temporary Position with Assessor/Register of Deeds

Chief Administrative Officer Kerry Eagan briefed the Board on the statutory requirements surrounding the employment of Julie Agena in the Assessor/Register of Deeds, Norm Agena's, office.

MOTION: Heier moved and Stevens seconded approval of the request for employment. Stevens, Hudkins, Schorr, Workman and Heier voted aye. Motion carried.

13 ADMINISTRATIVE OFFICERS REPORT

a. Policies: Computer Selection, Acquisition and Use, and Regulating Animals in County Buildings

Deputy Chief Administrative Office Gwen Thorpe discussed the revisions made to the proposed policy on Computer Selection, Acquisition and Use. Thorpe indicated that Deputy County Attorney Tom Fox recommended that the reference to drug forfeiture money be removed from the policy to avoid possible confusion about which drug forfeiture fund was being used.

Discussion was held about the individual purchases of monitors and the disposal costs that would be incurred by agencies if the purchase was not made through the Information Services Department.

Schorr recommended that the Management Team needs to discuss this policy one more time after its approval by the Board.

MOTION: Heier moved and Schorr seconded to form a committee, comprised of Gwen Thorpe, Ray Stevens and Bob Workman to work out the final revisions to the policy for Board approval. Schorr, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

Discussion was held by the Board on the proposed resolution establishing a policy regulating animals in Lancaster County buildings. The inclusion of an exemption for law enforcement animals will also be incorporated into the proposed policy. The revised policy will be forwarded to a Tuesday Board meeting for approval.

b. Thank You Letters to Two Outgoing Lancaster Manor Advisory Committee Members

MOTION: Stevens moved and Workman seconded to send letters of appreciation to Theresa Parker and Tim Timmons, R.N., outgoing Lancaster Manor Advisory Committee Members. Schorr, Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

14 DISCUSSION OF BOARD MEMBER MEETINGS

A. Lancaster Manor Advisory Committee - Heier

No report.

B. Public Building Commission- Hudkins, Workman

Workman and Hudkins reported that a new art display in the County-City Building was discussed.

C. LIBA Monthly Meeting- Stevens, Hudkins

Hudkins reported that the wheel tax and the JPA were discussed as well as some other city issues, including the M-Class issue.

D. Downtown Lincoln Association Board- Stevens

Stevens reported that the new Chamber of Commerce President Matt Carlson was introduced and budgetary issues were discussed.

15 ADJOURNMENT

MOTION: Schorr moved and Stevens seconded to adjourn the meeting at 11.50 a.m.. Stevens, Schorr, Hudkins, Workman and Heier voted aye. Motion carried.

Bruce Medcalf
Lancaster County Clerk